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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/509,596

09/29/2004

Mie Yoshimura

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8356

23373 7590 10/01/2007  
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EXAMINER

PIZIALI, ANDREW T

ART UNIT

PAPER NUMBER

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MAIL DATE

DELIVERY MODE

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10509596	9/29/04	YOSHIMURA ET AL.	Q83591

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**EXAMINER**

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ART UNIT	PAPER
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DATE MAILED:

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**Commissioner for Patents**

Newly amended claims 1 and 3-10 are directed to a species that is independent or distinct from the species originally elected for the following reason: The applicant elected (see response filed 10/28/2005) claims drawn to an identification marker wherein the optical interference fiber is used to construct a nonwoven fabric (random fiber alignment, see current specification page 21, line 4 to page 24, line 6). The current claims are drawn to an identification marker wherein the optical interference fiber is used to construct parallel aligned fibers. It is noted that the examiner specifically reminded the applicant that Species 1 from Species Group II was elected (see page 8 of the non-final rejection mailed on 3/23/2007).

Accordingly, claims 1 and 3-10 are withdrawn from consideration as being directed to a non-elected species. See 37 CFR 1.142(b) and MPEP § 821.03. The amendment filed on 7/23/2007 presenting only claims drawn to a non-elected invention and/or species is non-responsive (MPEP § 821.03).

Since the above-mentioned amendment appears to be a bona fide attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

/Andrew T Piziali/  
Primary Examiner, Art Unit 1771